

1 KAWAHITO WESTRICK LLP  
2 SHAWN C. WESTRICK (BAR NO. 235313)  
3 10474 Santa Monica Blvd., Suite 405  
4 Los Angeles, California 90025  
5 Phone: (310) 746-5300  
6 Fax: (310) 593-2520  
7 E-Mail: swestrick@kswlawyers.com

8 Attorneys for Plaintiff and Class Members

9 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

10 JOHN L. BARBER, SB# 160317  
11 E-Mail: John.Barber@lewisbrisbois.com  
12 TRACY WEI COSTANTINO, SB# 192847  
13 E-Mail: Tracy.Costantino@lewisbrisbois.com  
14 221 North Figueroa Street, Suite 1200  
15 Los Angeles, California 90012  
16 Telephone: 213.250.1800  
17 Facsimile: 213.250.7900

18 Attorneys for Defendant ABILENE  
19 MOTOR EXPRESS, INC.

20 UNITED STATES DISTRICT COURT  
21 CENTRAL DISTRICT OF CALIFORNIA

22 LARRY GRAVESTOCK, individually,  
23 and on behalf of other members of the  
24 general public similarly situated,

25 Plaintiff,

26 vs.

27 ABILENE MOTOR EXPRESS, INC., a  
28 Virginia corporation, and DOES 1-10,  
inclusive,

Defendants.

CASE NO. 8:14-cv-00170-JVS-RNB

The Hon. James V. Selna  
Courtroom 10C

**STIPULATION TO CONTINUE  
CLASS CERTIFICATION  
DEADLINES**

Action Filed: December 19, 2013  
Trial Date: None Set

1 Plaintiff Larry Gravestock (“Plaintiff”) and Defendant Abilene Motor  
2 Express, Inc. (“Defendant”), through their respective undersigned counsel, hereby  
3 respectfully stipulate as follows:

4 WHEREAS, on September 22, 2015, the parties agreed to mediate the  
5 claims alleged in this case prior to briefing (and the Court hearing) Plaintiff’s  
6 anticipated Motion for Class Certification;

7 WHEREAS, on October 8, 2015, the parties confirmed a mediation date of  
8 March 21, 2016, with the parties’ agreed-upon mediator, Jeffrey Krivis of First  
9 Mediation, which was his first available mediation date;

10 WHEREAS, on March 21, 2016, the parties engaged in a full-day mediation.  
11 While the mediation did not result in a class-wide settlement, the parties made  
12 progress on moving towards a resolution of this matter;

13 WHEREAS, as the parties approached the litigation after the mediation,  
14 Defendant agreed to supplement and produce a number of additional documents,  
15 including the class list, satellite data demonstrating, *inter alia*, the whereabouts of  
16 Defendant’s trucks during the relevant time period, documents demonstrating its  
17 practices as it relates to time worked by class members that was allegedly  
18 performed without pay and documents related to Defendant’s vacation policies;

19 WHEREAS, Defendant has been working on producing these documents,  
20 but as of June has only produced a spreadsheet regarding Defendant’s practices  
21 related to class members who filled their trucked with gas in California without  
22 pay;

23 WHEREAS, Defendant anticipates that it will produce and supplement its  
24 discovery responses by July 15, 2016;

25 THEREFORE, the parties hereby stipulate and agree that good cause exists  
26 to continue the following class certification deadline and trial-related dates as  
27

1 follows:

Event	Current Deadline	Proposed Deadline
Last day for Plaintiff to file Motion for Class Certification	August 2, 2016	November 1, 2016
Last day for Defendant to file Opposition to Class Certification	August 9, 2016	November 8, 2016
Last day for Plaintiff to file Reply for Class Certification	August 16, 2016	November 15, 2016
Hearing date for Motion for Class Certification	August 30, 2016, 1:30 p.m.	November 29, 2016, 1:30 p.m.

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16 **IT IS SO STIPULATED.**

17 I, Shawn C. Westrick, attest that all other signatories listed, and on whose  
 18 behalf this filing is submitted, concur in the filing's content and have authorized  
 19 this filing.

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21

22 DATED: June 13, 2016

Respectfully submitted,

23

24 **LEWIS BRISBOIS BISGAARD &**  
**SMITH LLP**

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26

27 By: /s/ Tracy Wei Costantino

1 John L. Barber  
2 Tracy Wei Costantino  
3 Attorneys for Defendant Abilene Motor  
Express, Inc.

4  
5 DATED: June 13, 2016 Respectfully submitted,

6 **KAWAHITO WESTRICK LLP**  
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10 By: \s\ Shawn C. Westrick  
11 Shawn C. Westrick  
12 Attorneys for Plaintiff Larry Gravestock  
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